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STATUTORY INSTRUMENTS

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**2020 No. 1309**

The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020

**PART 2**

IMMIGRATION

*Chapter 1*

*Amendment and saving of primary legislation*

**Amendment of the Marriage (Scotland) Act 1977**

7.—(1) The Marriage (Scotland) Act 1977 <sup>M1</sup> is amended as follows.

(2) In section 3(1) (notice of intention to marry: documents etc to be produced), after paragraph (c) insert—

“(ca) if the party falls within paragraph (ab)(i) of the definition of “relevant national” in section 26(2), an electronic certificate which confirms that the leave referred to in that provision has been granted;

(cb) if the party falls within paragraph (ab)(ii) of the definition of “relevant national” in section 26(2)—

(i) a certificate of application which confirms that the application referred to in regulation 4 of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 has been made; and

(ii) evidence that the relevant period referred to in regulation 4 of those Regulations has not expired;”.

(3) In section 26(2) (interpretation), in the definition of “relevant national”—

(a) after paragraph (a) insert—

“(aa) an Irish citizen, or

(ab) a person who is not an Irish citizen and who—

(i) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020, or

(ii) is an applicant for the purposes of regulation 4 of the Citizens' Rights (Application Deadline and Temporary Protection)(EU Exit) Regulations 2020 (applications which have not been finally determined by the deadline) where the relevant period within the meaning of that regulation has not expired;”;

**Status:** Point in time view as at 01/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020, Section 7. (See end of Document for details)

(b) omit paragraphs (b) and (c).

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**Commencement Information**

**I1** Reg. 7 in force at 1.7.2021, see [reg. 1\(2\)\(c\)](#)

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**Marginal Citations**

**M1** 1977 c. 15. Section 3(1) was amended by paragraphs 1 and 3 of, Schedule 2 to, the [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16\)](#) and paragraph 43(a) of Schedule 48 to the [Civil Partnership Act 2004 \(c. 33\)](#). The definition of “relevant national” was inserted into section 26 by [S.I. 2015/396](#) and amended by [S.I. 2019/745](#). There are other amendments but none are relevant.

**Status:**

Point in time view as at 01/07/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020, Section 7.